

TROIANI/KIVITZ, L.L.P.  
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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANDREA CONSTAND,	:
Plaintiff	: CIVIL ACTION
	:
v.	: NO. 05-CV-1099
	:
WILLIAM H. COSBY, JR.,	:
Defendant	:

**PLAINTIFF'S REPORT FOLLOWING  
RULE 26 CONFERENCE OF THE PARTIES**

Counsel for Plaintiff and Defendant met on March 23, 2005. The parties discussed for several hours, and verbally agreed to the dates set forth in the attached Preliminary Scheduling Order, though following such time, defense counsel has not agreed that these dates should be set forth in the form of an order, and, earlier today, withdrew agreement that all motions, other than motions *in limine*, must be filed by the close of discovery. Plaintiff therefore submits this report unilaterally, and requests that the enclosure be entered as an order, and that it supplement any other deadlines set forth in an order by the Court, following the Rule 16 conference.

Plaintiff will need discovery on at least the following topics: the sexual assault of January 2004 referenced in Plaintiff's Complaint; all statements publicized by Defendant and/or his authorized representatives or agents concerning this incident, including the ones referenced in Plaintiff's Complaint; the identity of Defendant's authorized representatives or agents who made such statements; and, prior sexual assaults or drugging incidents perpetrated by Defendant, as well as any settlements entered into which originated from allegations of sexual assaults or drugging. In this regard, Plaintiff will also seek the admissibility of testimony of ten (10) or more other claimants pursuant to F.R.E. 415, among other applicable rules, and will seek a limited protective order pursuant to Rule 26(c) that the names of the other women not be disclosed to or published by the media. Defendant has requested that the entire proceedings be kept confidential pursuant to protective order; Plaintiff does not believe that this relief would be appropriate, and opposes such request.

There was not substantive discussion concerning settlement, nor was there any settlement demand or offer at counsels' meeting, but Plaintiff's counsel has offered to attend a settlement conference with the Court's Magistrate.

Plaintiff has forwarded her Self-executing Disclosures to  
defense counsel as of this date.

Respectfully submitted,

TROIANI/KIVITZ, L.L.P.

/s/ Bebe H. Kivitz  
Bebe H. Kivitz, Esquire  
Dolores M. Troiani, Esquire  
Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

I, Bebe H. Kivitz, hereby certify that Plaintiff's Report Following Rule 26 Conference of the Parties has been electronically filed on the date indicated below and is available for viewing and downloading from the ECF system. I hereby further certify that the foregoing pleading was sent via facsimile and U.S. mail, postage prepaid, on the following:

Patrick J. O'Connor, Esquire  
Cozen O'Connor  
1900 Market Street  
Philadelphia, PA 19103

TROIANI/KIVITZ, L.L.P.

Date: April 6, 2005

/s/ Bebe H. Kivitz  
Bebe H. Kivitz  
Dolores M. Troiani  
Attorney for Plaintiff